

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

MARIA LOVELAND,)	
)	
Plaintiff,)	
)	
vs.)	No. 4:09CV00899 AGF
)	
MICHAEL J. ASTRUE,)	
Commissioner of Social Security,)	
)	
Defendant.)	


MEMORANDUM AND ORDER

This matter is before the Court on Plaintiff's motion for attorney's fees in the amount of \$5,436.47, pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d). Plaintiff is the prevailing party in her action challenging the Commissioner of Social Security's denial of her application for Supplemental Security Income based upon disability. Her request for fees is supported by appropriate documentation, and the Commissioner states that he does not object to the award of fees or to the amount of fees sought.

The Commissioner points out that the fees should be paid directly to Plaintiff, pursuant to Ratliff v. Astrue, 130 S. Ct. 2521 (2010), but suggests that if it is verified that Plaintiff does not owe a debt to the United States that is subject to offset, the fee will be made payable to Plaintiff's attorney based on an assignment of such fees made by Plaintiff to her attorney. The Court believes that the better practice is to follow the Supreme Court's directive in Ratliff that under the EAJA, an award of attorney's fees be

made to the “prevailing party.”

. **IT IS HEREBY ORDERED** that Plaintiff’s application for attorney’s fees is
GRANTED in the amount of \$5,436.47, payable directly to Plaintiff. [Doc. #27]



AUDREY G. FLEISSIG
UNITED STATES DISTRICT JUDGE

Dated this 15th day of November, 2010.